



Indiana Judicial Nominating Commission
30 South Meridian Street
Suite 500
Indianapolis, IN 46204
(317) 232-4706

APPLICATION

FOR THE

INDIANA TAX COURT

(SEE INSTRUCTIONS)

Deadline – Monday, September 20, 2010

I. Provide your:

A. Full legal name and any former names.

Melony Allyn Sacopulos (formerly Melony Allyn Greatline)

B. Current home and office addresses, including email addresses and telephone numbers.

Home:

**1327 South Sixth Street
Terre Haute, Indiana 47802
(812) 232-5608**

Office:

**Office of the General Counsel
Indiana State University
223 Parsons Hall
Terre Haute, Indiana 47809
(812) 237-4141**

Email: melony.sacopulos@indstate.edu

C. Date and place of birth.

August 20, 1962; Denver, Colorado

D. Spouse's name (if married).

Peter John Sacopulos

II. Complete a State Police release form printed on green paper. Include the release only with the original application and not with the copies.

Attached to original.

III. Attach a recent photograph of you to the front of the original application and to each copy of your application.

Attached.

IV.

A. State in what county you currently reside and since what date.

Vigo, 1989

B. List all previous counties of residence, with dates.

Marion, 1986-1988

C. When were you admitted to the Indiana Bar?

June 10, 1988

D. Are you currently on active status?

Yes.

E. What is your attorney number?

13983-49

V.

- A. List below all colleges and universities you attended other than law schools. Attach a certified transcript from each to the original application and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it before copying.)

<u>School</u>	<u>Dates Enrolled</u>	<u>Degree or Certificate</u>
Wabash Valley Junior College	1979-1980	None-earned credits while in high school
Southern Illinois University	1980-1982	B.S. Accounting

- B. List below all law schools and post-J.D. programs attended. Attach a certified transcript from each to the original application and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it before copying.)

<u>School</u>	<u>Dates Enrolled</u>	<u>Degree</u>
Thomas M. Cooley School of Law	1985	none-transferred to I.U.
Indiana University School of Law at Indianapolis	1986-1987	J.D.
Georgetown Univ. Law Center	1989	LL.M. Taxation

- C. Describe any academic honors, awards, and scholarships you received and when.

Book Award in Torts. 1985.

VI.

- A. Provide your employment history since graduation from college, including titles or positions, locations, and dates.

**KPMG (formerly Peat Marwick), Tax Department
Senior Tax Accountant
January 1983 to December 1984
St. Louis, MO.**

After graduating from college in accounting, I went to work in the tax department of the St. Louis office of KPMG (then known as Peat Marwick & Mitchell), an international accounting and consulting firm. New recruits were usually required to go into the audit department, from which application to the tax department could be made. I had the honor of being offered direct entry to the tax department. During college I had worked for an accounting firm preparing tax returns and was confident that I wanted to work in tax. This prior experience paid off at KPMG and I felt very fortunate to have this opportunity.

My work in the tax department of KPMG included preparation of most every type of tax return: multi-state partnerships, joint ventures, multi-layer corporations (brother/sister entities, as well as parent/subsidiary), fiduciary (both trusts and estates), personal property, excise, payroll, and individual. I enjoyed working with a very diverse group of clients and a very distinguished and experienced group of professionals.

Since the St. Louis office of KPMG had a large client base of financial institutions, much of my work related to both banks and savings and loans. The auditors would typically do their work first, then I would follow. I would typically begin with the audit workpapers, create book-to-tax conversion workpapers, and prepare federal and state tax returns. Financial institutions had special operating loss rules and I gained a greater understanding of the way in which monetary policy can affect the bottom line of a financial institution. At that time there had been many near-failures of savings and loans, due to the inflationary 1970's and the fact that savings and loans had made long-term mortgages at previously lower interest rates.

I did some oil and gas work, and generally researched various issues and completed assignments made to me.

At KPMG, I gained my first experiences in assisting clients in responding to IRS and state tax audits, and did some work in providing support for attorneys who also represented our clients.

I left KPMG to attend law school, which I began in January, 1985.

- B. If applicable, describe the nature and extent of your practice of law, present and former, and provide the names of your partners, associates, office mates, and employers.

**Rothberg Gallmeyer Fruechtenicht & Logan
Fort Wayne, IN
Intern
Summer of 1986**

During the summer after I had completed my first year and a half of law school, I had the opportunity to work as a law clerk. I enjoyed learning how a law firm worked, and found that it was not that different from my prior experiences at KPMG. I assisted in preparing bond issuances for the Indiana Housing Authority and conducted legal research for federal securities litigation. I also worked on a variety of general business issues.

**Krieg DeVault Alexander & Capehart
Indianapolis, IN
Associate
January, 1987- December, 1988**

During law school on a part-time basis, and then after graduation on a full-time basis, I was privileged to work in the transactional group at Krieg DeVault in Indianapolis. I worked primarily for Marc A. Hetzner.

Krieg DeVault had a large client base of financial institutions, and in 1987 when I graduated from law school, there was a lot of merger and acquisition activity in the financial institution industry. I cut my teeth as a new lawyer performing legal due diligence on target financial institutions. This included examining every business aspect of the target company, from stock ownership to retirement plan compliance.

I also had the opportunity to work on a bonding project using private activity bonds. The main project I worked on in this area of practice was a marina located in northern Indiana.

While at Krieg DeVault I also had the opportunity to work with Bob Johnson (now deceased) on issues of tax dispute. Bob had formerly been with the St. Louis District office of the IRS and was a wonderful mentor and teacher. I assisted Bob in the preparation of defenses for taxpayers and accompanied him in meetings to negotiate with the government.

I also worked on issues of wealth transfer planning, which includes both estate and gift planning, as well as working with clients in issues of business structure to achieve their goals. In this context I have drafted wills and trusts that contain complicated planning principals, as well as utilizing tools like life insurance and business ownership. I have experience in valuation methods for business interests and for split and future interests in assets. In this context I have experience in calculating the values of present and future interests, both for lump sums and income streams. I did do some compliance work in this area while at Krieg DeVault, preparing both gift and estate tax returns.

Retirement planning was another area in which I practiced at Krieg DeVault. I drafted both defined contribution and defined benefits plans. Any tax practice of this nature involves application for technical guidance, which usually takes the form of a Private Letter Ruling or Technical Advice Memorandum. I have experience in drafting applications for and analyzing these resources. Although neither can be relied on as formal legal precedence by any taxpayer but the one who applied for the guidance, they do provide useful information to understand the likely stance of the IRS on given technical issues.

Finally, I was given assignments to draft contract provisions, which would then be reviewed by a partner, and a variety of research assignments involving business and transactional issues. I worked for Marc A. Hetzner mainly, but also worked for Robert Johnson (now deceased), Robert A. Greising, Arthur Banta (now deceased), John W. Tanselle, Stephen D. Smith, Linda Nichols Kenny, Carol Sparks, and Timothy M. Harden.

I left Krieg DeVault to pursue a post-doctoral degree in taxation at the Georgetown University Law Center in Washington, D.C.

Price Waterhouse, National Tax Services
Washington, D.C.
Manager
January – December, 1989

Georgetown offers a night program for the LL.M. in taxation, and I was fortunate to have the opportunity to work in the national tax practice at Price Waterhouse while I was enrolled at Georgetown. The national tax practice functions as a resource for Price Waterhouse operating offices nationwide. The issues addressed were typically issues in which either a quick response was needed or in which a given operating office did not possess an expertise. I was a Manager at Price Waterhouse, and worked mainly in the area of employee benefits.

While at Price Waterhouse, I had the opportunity to draft comments to proposed income tax regulations for Fortune 500 companies. I researched and drafted tax opinions regarding clients' proposed business transactions, including financing plans. I worked with technical issues surrounding both qualified and non-qualified stock options, which included both the structuring of these plans on the front end and assisting holders of the options in the best course of action in the exercise of the options.

The most interesting issue I had the opportunity to work on concerned the expatriate employees of a major oil company. Saudi Arabia had a system similar to our social security system, and at one point King Faud declared that the American expatriates would no longer participate in this system. These individuals were then cashed out of the system. The issue at hand was to determine how to treat the money paid to American expatriates by the Saudi government. It was either a refund of foreign taxes paid or amounts received on contract, in which there would have been a tax basis. It sounds like a mundane question, but millions of dollars were at stake in the answer.

Of course, much of the work I did at Price Waterhouse involved research and the generation of memoranda to substantiate advice that the firm was rendering to clients.

My work at Price Waterhouse caused me to gain even more appreciation for the huge impact that tax issues can have on so many aspects of a business. Further, the legislative processes that create the law and regulations took place right down the street from the firm, which provided insight and was exciting. I had the opportunity to work mainly with Richard Stanger, Doug Kirby, Elaine Church, and Ira Cohen while I was at Price Waterhouse. Elaine Church and Ira Cohen were both extensively involved in drafting the Employee Retirement Income Security Act (ERISA) in the 1970's. ERISA is the main law governing retirement plans, and to have had the opportunity to work closely with individuals who assisted in drafting the law was priceless.

I left Price Waterhouse when my work at Georgetown came to an end, and moved to Terre Haute to marry my husband, Peter.

**Indiana University School of Business
IUPUI Campus, Indianapolis, IN
Lecturer
1990-1994**

After my work at Georgetown was complete and I moved to Terre Haute, I was offered the opportunity to teach tax and accounting courses for Indiana University on the IUPUI campus. For five years I taught the two-semester entry-level accounting 201 and 202, as well as individual, corporate, partnership, and fiduciary tax. I taught tax courses at both the undergraduate and graduate levels.

In 1993 I was asked to prepare and present a pilot program in televised entry-level accounting courses to enhance accessibility for place-bound students. I believe these courses continue to be televised in the Indianapolis area.

This period of time also offered opportunities to present accounting and tax topics to outside groups. For several years I lectured on corporate, partnership, and fiduciary taxation as part of the continuing professional education offerings of the American Institute of Certified Public Accountants (AICPA), which were delivered each summer on the campus of the University of Illinois in Champaign, Illinois. I also delivered several lectures as part of the professional certification program for auctioneers. The auctioneers were mostly interested in the tax ramifications surrounding real estate transactions, and were the liveliest group I have had the pleasure of working with.

This period of time offered a real learning experience. As much as I thought I knew about tax, my students taught me that I had not explored all the various ways of looking at things. Teaching was the best capstone experience to my former practice that I could have hoped for.

**Indiana State University
Terre Haute, IN
Prelaw Advisor, Department of Political Science
1994**

When my husband and I decided to start a family, I began to consider what opportunities there might be in Terre Haute, and began working at Indiana State University. The pre-law advisor in the Department of Political Science had died suddenly and I was recruited to fill that role. In addition to prelaw advisement, I taught courses in American government, constitutional law, and American jurisprudence. That first semester was a lot of fun and a lot of work, since I was preparing three courses I had never taught. I found it interesting to re-visit this subject matter at that particular point in my own professional development.

**Indiana State University Foundation
Terre Haute, IN
Managing Director and Director of Planned Giving
1995-1998**

After a replacement, tenure-track faculty member was found in political science, I was able to move over to the Indiana State University Foundation. There had recently been some changes of personnel in the wake of the arrival of a new university president and the Foundation was looking for someone to lead the planned giving program.

For the next few years I worked as the planned giving director, and for three of those four years also managed the operations of the Foundation. I developed and implemented a communications strategy for the planned giving program and managed scholarship administration and gift receipting. I was also responsible to supervise maintenance of biographic data for alumni and to supervise accounting operations. I worked directly with the finance committee of the Foundation to administer the investment strategy, and oversaw the quarterly allocation of investment gains to individual endowment accounts. I was in charge of tax compliance and prepared and delivered quarterly results to the Board.

My experience in fiduciary taxation was extremely relevant during this time, since I regularly dealt with estates, charitable gift annuities, and charitable trusts. I worked closely with trust officers of trustee organizations, which were usually banks. I found that my teaching experience complemented my technical knowledge as I worked with donors. I discovered that I had a real ability to boil things down for people so they had the information that was relevant for decision-making. When it was time to talk to professional advisors, I could effectively communicate and gain the confidence of both CPAs and attorneys.

During this time I came to appreciate higher education programming and course offerings. As I worked with potential donors to understand their particular areas of interest, I learned about the interesting and impactful work that went on every day at ISU. It was a real privilege to have the opportunity to work with the diversity of intellectual pursuit that a university offers, as well as to interact with the bright and caring individuals who compose the faculty. Anyone who is successful has been fortunate to have a handful of people take a special interest in them and assist in their development. Working in the Foundation reminded me daily of this fact, as I watched interested donors and dedicated faculty assist in student development.

Indiana State University
Terre Haute, Indiana
General Counsel (1999-Present)
Interim Treasurer (July 2001–July 2002)
Secretary of the University (July 2004-Present)

In January of 1999 I was promoted to General Counsel of the university. State universities are interesting places to work as an attorney. My practice at ISU is as diverse a practice as one could imagine. Technically, I am counsel to the Indiana State University Board of Trustees. Organizationally, I report to the President of the University. The current ISU president, Dan Bradley, is the third president for whom I've worked.

I do some tax work in my current position. The university issues state tax-exempt bonds regularly in conjunction with construction projects, and I work with bond counsel and function as counsel to the issuer. This year, for example, we issued state tax-exempt bonds to fund the renovation of a residence hall and dining facility. The university is generally income tax exempt, but some of our activities generate unrelated business taxable income. I am responsible for determining whether a given activity generates unrelated business taxable income. ISU also has a tax-qualified retirement plan, for which I address issues from time to time. This year, for example, it was discovered that the elective contributions to a supplemental retirement annuity for an employee were not made in the correct amounts. It was my responsibility to determine what corrective action was needed so that our retirement plan would remain tax-qualified and the employee would be made whole.

I address constitutional legal issues on a regular basis. ISU has its own police force, so all of the same laws that apply to other police forces apply to us. We issue traffic tickets, make traffic stops, perform searches and seizures, and make arrests. I am engaged regularly in review of the general standing orders in place for our police force, and address legal issues related to the above-listed activities.

First Amendment rights are another group of constitutional issues that I address in the normal course of my practice. Free speech issues arise in the context of speech on campuses, whether by members of the campus community or by others visiting our campus. The concept of academic freedom is included in the First Amendment, as well, with regard to the work of the faculty. We have our own mail system, and there are legal issues surrounding who has the right to use that mail system, and how that impacts our ability to control who uses it. The right of assembly is a First Amendment issue that I address from time to time. Indiana State University has no free speech zone on its campus, largely because I have

counseled against it. As case law in this area continues to develop, it is clear that not having a free speech zone decreases our exposure dramatically.

Students, tenured faculty, and others have contract interests in their respective status' and the Fourteenth Amendment applies in these situations, in addition to contract law. Since ISU is a public university, we cannot deprive, without the benefit of due process, students of their right to go to school here once they have been accepted or employees with contracts to work here. It is my responsibility to provide counsel when clarification is required, and to review periodically our processes to ensure our obligations are met. In this context I work with the Student Judicial office, the Faculty Senate, the President, and various other individuals, such as the Director of Intercollegiate Athletics since many of our coaches have employment contracts.

I regularly address issues concerning immigration. We have many faculty whom we sponsor on H-1B visas. These faculty are also usually interested to pursue permanent residency. We do the workforce authorizations in-house, as well as the H-1B applications. It is not uncommon for newly minted Ph.D.'s to have Optional Practical Training (OPT) status when they begin a tenure-track position, so it is not uncommon to review the OPT rules applicable to many different countries to make determinations about when the H-1B application should be filed. I also offer counsel to the international affairs office regarding our international student contingent. There are work restrictions that apply to international students and reporting obligations through the SEVIS system to Homeland Security if a student's registration status changes.

We own sophisticated computing systems, and function as an internet service provider to our students and other non-employees. We respond to subpoenas for suspected illegal downloading of media files and respond to other law enforcement when select individuals who use our email are suspected of criminal activity. It is not uncommon for me to work with the FBI regarding these issues. I also address the privacy interests of users of our email systems, whether they are students or employees.

Universities deal with issues of diversity on an ongoing basis. I address ADA issues, and both Title VII in the employment context and Title IX in the student context. Title IX is also a major issue in intercollegiate athletics. In these contexts I have significant experience in responding to complaints filed against the university with the Equal Employment Opportunity Commission (EEOC) or the Office of Civil Rights (OCR). It is my responsibility to review the investigation of these allegations and to determine the appropriate action for the university. I offer counsel to many individuals on our campus each year regarding what action or inaction the university should take. There has also been recent guidance by Homeland Security regarding the interplay between immigration status and national origin discrimination. This has been a particularly tricky issue over the years to employers who have international job

candidates on a regular basis. I also conduct training sessions to most all members of the campus community so that we meet legal due diligence standards.

Universities undertake multi-million dollar construction projects annually, and I am responsible for the legal aspects of these contracts. During my tenure as general counsel, we have undertaken many major construction projects. We utilize modified AIA documents. It is my responsibility to review these documents on an ongoing basis to ensure their terms serve the interests of the university. Construction projects are also bid out, and I am called upon from time to time to determine whether a given bid should or should not be considered because it is incomplete or in some other way fails to answer the request for bid issued by the university.

I also have responsibility to address requests for public documents. The Indiana Open Access Laws apply to ISU, and most of our records are obtainable by the public. However, there are exceptions to these rules, and it is my job to respond to those who request information. From time to time someone who has requested information is denied that information, and I also have experience in responding to the Indiana Public Access Counselor in those cases. My determinations have always been upheld; so far, so good.

We have residence halls on campus, so I address landlord and tenant laws regularly. We perform criminal background checks on individuals who work in the residence halls, and it is my responsibility to review periodically the information we request and the processes we undertake to perform those checks to make sure we follow best practices. I also address contract issues in conjunction with students who live in our housing, and have from time to time prosecuted evictions.

From time to time I address privacy issues. We must safeguard the personal information of individuals who work for the university, individuals who make payment to the university, and to students. As well as the Privacy Act, it is my responsibility to work as part of a team of professionals to ensure our credit card information remains private and to comply with the Family and Educational Rights and Privacy Act (FERPA). I prepare and review waivers for students to use when they want others to have access to their information and work with various offices across campus to make sure ISU employees understand the law so that inappropriate disclosures are not made.

I work with the human resources office regularly, usually in situations in which an employee's separation from the university is under consideration. In some situations, I draft separation agreements. This year ISU underwent a reduction in force in response to budgetary reductions. It was my responsibility to assist in developing criteria upon which reduction decisions would be made and to review lists of individuals who were to be separated from the university to ensure that the impact of the reduction was not discriminatory. It was also my responsibility to

ensure that the university complied with any and all notice requirements concerning the reduction.

ISU has its own power plant on campus, which was built in 2001. I worked directly with the State utilities commission to obtain appropriate permits before construction began.

I also address issues of intellectual property. Copyrights are the most prevalent form of intellectual property on our campus and most every campus. I also have addressed issues concerning patents.

We do not have a medical school at ISU, but we do conduct several clinics on campus. We have an auditory clinic in the College of Education, two psychology clinics, two physical therapy clinics, and a student health clinic. I have addressed contract issues and HIPAA privacy issues with regard to all of these clinics. When the avian flu was expected to cause an epidemic in North America, I worked on a task force to develop proactive protocols for campus in the event an epidemic materialized. The avian flu did not strike, but we did use part of those protocols last year when the swine flu broke out.

I work on an ongoing basis with the university Faculty Senate regarding various policies and procedures. From time to time the Faculty Senate leadership asks for an interpretation of a provision of the ISU Handbook, and it is my job to respond. As we develop procedures, I am involved in the process to ensure that appropriate legal considerations are taken into account and that our procedures are workable. Several years ago, the then-president of the university had two votes of no confidence by the faculty. This period of time was one of the most challenging in my tenure as counsel.

We have an exclusive beverage contract with Pepsi Cola and an exclusive food service contract with Sodexo. I worked with the Student Affairs division as these contracts were negotiated (student affairs administers these relationships). I am involved in all software contract negotiations, and had responsibility to review and opine on the telecommunications contract ISU has with AT&T. We also have a large contract with Oracle for data storage, which I was involved in developing, and with SCT, which manufactures the software "Banner" that works with our Oracle data storage system to access the data.

In the spring of 2001 the treasurer of the university announced his retirement. I was asked by the Trustees to step in for a year and act as treasurer (in addition to continuing to cover my duties as counsel) while a search was conducted for his replacement. My understanding of the institution and my background in accounting were the Trustees' major considerations in this decision. Although it was an extremely busy year, I was honored by their faith and trust in me. I was also relieved when they hired a replacement!

In 2004 the Secretary of the University retired, and I was promoted to fill the dual role of General Counsel and Secretary. As Secretary, I am responsible to maintain the policies of the university and to work with the President and the Trustees to generate agenda for meetings of the Trustees and generally oversee the conduct of business at Trustee meetings. During the 2009-2010 academic year I led a re-codification of the policies of the university that included annotating the policies so that it is apparent on the face of policies when they were originally enacted and when they were amended. The annotation phase is still underway. While it may not sound like a big effort, there were many faculty who did not want the Handbook to change. They had to trust that the substantive content of the policies would not change as part of the re-codification.

Two years ago, I was given the additional responsibility of supervising the affirmative action officer and the internal auditor. I also continue to teach education law in the College of Education's Department of Educational Leadership, Administration and Foundations. From time to time I also teach business transactions and welfare benefits courses in the College of Business.

I work mainly with the President of the University, Dr. Daniel J. Bradley; the Provost and Vice President of Academic Affairs, Dr. C. Jack Maynard; the Vice President for Business Affairs and Finance, Ms. Diann McKee; the Vice President for Enrollment, Marketing and Communications, Mr. John Beacon; the current president of the Faculty Senate, Dr. Steven W. Lamb; the ISU Director of Public Safety, Mr. William Mercier; and with the ISU Board of Trustees, Mr. Ron Carpenter, Mr. Michael J. Alley, Mr. Norman Lowery, Mr. George Pillow, Mr. Edward Pease, Mr. Robert Baesler, and Ms. Tanya Bell.

- C. Describe the extent of your jury experience, if any.

I have not had the opportunity to try cases to a jury. As general counsel to Indiana State University, I have had the opportunity to work as a client/colleague to a number of exceptionally skilled litigation attorneys, but it is not in the nature of my practice to try cases.

- D. If applicable, describe the nature and extent of your judicial experience, including a description of your experience presiding over jury trials, if any.

N/A.

VII.

- A. If applicable, list by caption, case number, and filing date up to five of your trial or appellate briefs and/or written judicial opinions.

N/A.

- B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, by date, and by subject matter.

N/A.

- C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

“Tax Planning With Life Insurance Trusts,” The Practical Tax Lawyer, Winter, 1990. This is an article that discusses estate planning methods that utilize life insurance that, when placed in a trust, offers control and leverage on amounts left to beneficiaries at death.

“Using ESOPs to Fend Off Hostile Takeovers After Polaroid,” (April 11, 1990) (Georgetown University). This was my thesis at Georgetown and analyzes the use of super-majority voting requirements in Employee Stock Ownership Plans to control corporate transactions.

“The Role of Welfare Plans in Corporate Mergers and Acquisitions,” Benefits Law Journal, Vol. 2, No. 1, 1989. This is an article that analyzes the various welfare benefit plan considerations at issue in planning a corporate merger or other acquisition, including employee classes and funding methods.

- D. Include with your application copies of any four of the written materials listed above in Section VI.A., B., and C.

Attached.

- E. Describe the nature and extent of any *pro bono* legal services you have contributed.

I assisted the Friends of the Vigo County Library in organizing and applying for tax exempt status.

I have been very involved in community revitalization and have formed and obtained tax exempt status for two community development corporations.

F. Identify the five most significant legal matters entrusted to you whether as a judge or lawyer, and describe why you believe them to be so.

1. **OCR Title IX Compliance Investigation:** In 1999, just as I assumed responsibility for my current position, ISU was notified that the Office of Civil Rights (OCR) would perform a gender equity investigation of ISU's Title IX NCAA competition opportunities. I believe this matter to be significant because it caused me to have to develop quickly an understanding of OCR standards under Title IX as they pertain to intercollegiate athletics, as well as NCAA regulations and methods in allocating participation opportunities for various sports. I briefed ISU coaches on the issue at hand, and held extensive discussion and preparatory sessions relating to resource allocations to intercollegiate athletics. I managed the OCR investigative team, who visited our campus and held interviews for three days, and worked with the lead investigator, David Blom, to develop language for a compliance agreement that contained benchmarks that were realistic. Just last year, in 2009, ISU achieved full compliance with the agreement and was released from ongoing OCR monitoring.
2. **Sodexo Food Service Contract:** In 1999, ISU determined to develop an exclusive food service relationship with Sodexo. I worked with individuals who work in the areas of student affairs and residence life to develop the first agreement. I believe this matter is significant because it represents a significant budgetary commitment by the university, and because food service on a residential university campus has major programming implications. Our agreement with Sodexo has worked well and they continue to provide exclusive food service on the ISU campus. The agreement includes requirements to periodically update and upgrade dining spaces, addresses food service delivery in residence halls, addresses student credit to eat in the union as part of the food plan, addresses provision of food service to intercollegiate athletics teams, and addresses the plethora of catering needs that exist on campus. It is the most complicated contract I have ever been involved with.
3. **Renovation of University Hall:** In 2007 ISU contracted for the renovation of University Hall to house the ISU Bayh College of Education. I believe this project is significant for two reasons. First, University Hall was originally built in the 1930's and contained post-war-era murals. The structure had also housed the ISU University School, which had been closed in the 1970's amid

great debate in the community. I have an ongoing interest in historic structures and was pleased that the ISU Board of Trustees found value in renovating this structure, both because of the fact that the building was itself wonderful, and because it was formerly the home of the University School I thought it would be a particularly fitting new home to the Bayh College of Education. Second, it was a particularly challenging project from a legal perspective. I found myself dealing with contractor disputes on a regular basis, which reached a high point when the contractor had half the former courtyard covered by a glass atrium when we experienced a torrential downpour and the interior of the partially-completed structure was flooded. This matter is still in mediation.

4. *Dark Fiber Installation and Lease:* In 2002 ISU received a grant to install dark fiber from the ISU Campus to Sullivan County. I believe this matter was significant for two reasons: First, it enabled rural Indiana communities high speed communications capabilities where there had formerly been none. Second, I knew little about this subject matter when I began the project, but was soon immersed in real estate rights of way, dark fiber leases, and guarantees from operating companies who would light and use the fiber, which as a group had a high failure rate. It was particularly challenging to adequately protect the assets of the project without inhibiting progress.
5. *Caesar's Indiana Contract for Archaeological Services:* In 1999 I dealt with a contract dispute involving a contract that ISU had entered into to perform archaeological removal and cataloging services for Caesar's Indiana before a gambling riverboat was constructed in Harrison County (now Horseshoe Southern Indiana). This dispute revolved around whether archaeological technicians as a trade group were third party beneficiaries of the contract between Caesar's and ISU. The hourly rate being paid graduate students to work on the contract was below the prevailing wage for archaeological technicians generally. I believe this matter was significant because it involved labor prevailing wage issues combined with equitable contract issues. It was also fun to learn about the research being undertaken by ISU faculty member Dr. Russell Stafford, who was the primary investigator of the project and whose main research interest is to understand the changes in mobility of ancient societies and how those changes impacted other societal practices. The matter was eventually settled between Caesar's and Harrison County.

- G. Provide the names, addresses, and telephone numbers of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to the Indiana Tax Court.

It is not in the nature of my practice to work directly with opposing counsel. However, the relationship between the administration and the faculty in higher education can be contentious. I have listed the current and past president of the Faculty Senate of ISU.

**Dr. Virgil Sheets, Chairperson
Department of Psychology
Root Hall, Room B-205
Indiana State University
Terre Haute, Indiana 47809
812-237-2451**

**Dr. Steven W. Lamb
Chairperson, Analytical Department
College of Business
Indiana State University
Terre Haute, Indiana 47809
812-237-2112**

VIII.

- A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice.

I have served on the Local Rules Committee for the U.S. District Court, Southern District of Indiana.

Last year I participated in the program sponsored by the Indiana Supreme Court and the Indiana Bar Association, "Why Lincoln was a Lawyer." I was the only lawyer in Vigo County to visit schools and lead discussions about the legal system.

On an ongoing basis I participate in educational programming in the middle schools about the Constitution.

- B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues.

I have worked for the last 20 years in the area of community revitalization of the Historic Farrington's Grove Neighborhood. This has included service as a board member and as president of the association and work through community development corporations.

I have served on the distribution committee for youth services for the United Way.

I currently serve on the Vanguard Committee to fundraise for the United Way.

I assisted to organize and volunteered in cleanup efforts when the former Lambda Chi House (located in historic Farrington's Grove) was purchased by Historic Landmarks. I coordinated the transaction, working with the president of the house corporation and identified end purchasers for the house. This structure is now a showplace.

I have been a member of the Vigo County Historical Society and have volunteered over the years at annual fundraisers.

I have worked to create more, quality day care environments in Terre Haute.

I have volunteered for many years to fundraise for the efforts to restore the historic Allen Chapel in Terre Haute, which was one of the first African Methodist churches, and which was a stop on the underground railroad.

- C. List any memberships and offices you have held in civic or charitable organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

I am a member and have served on the board of the First Congregational Church in Terre Haute.

I serve as a member of the board of Renaissance, Inc., a community development corporation.

I serve as a member of the board of Historic Revitalization Corporation of Western Indiana, a community development corporation.

I have served as a member of the board of the Terre Haute Symphony.

I have been very involved in support of Vigo County schools as my children have worked their way through.

I have been a member of Tri Kappa, a charitable sorority that focuses on provision of clothing to underprivileged children. This membership has involved fundraising and volunteering in the “Clothes Closet”, the actual location where distribution of clothing takes place.

I have been a member of PEO, a women’s charitable organization that focuses on provision of scholarships for women to attend college.

I have served as president of the Big Walnut Creek pony club, a local organization affiliation with the United States Pony Club, which is an educational organization for children to learn about horses. Children work their way up a rating system and can earn merit badges, similar to Boy Scouts. Pony Club also works extensively with equine veterinarians and, in Indiana, has a special relationship with the Purdue Veterinary College to teach equine anatomy and allow pony club members to actually watch an equine necropsy, once members have reached a certain level.

- D. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

Member, Terre Haute Bar Association

Member, Indiana Bar Association

Member, American Bar Association

Member and former Nominating Committee member, National Association of University Attorneys (NACUA)

- E. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

Member, United States Dressage Federation

Former Member, United States Eventing Association

- F. Indicate your experience teaching law, and provide the dates, names of institutions or programs, and a description of the subject matter taught.

I have not taught in a law school, but have taught American jurisprudence and constitutional law in the political science curriculum at ISU, as well as education law in the Ph.D. program in Educational Leadership, Administration and Foundations, and business transactions in the College of Business; I have taught individual, partnership, corporate, and fiduciary

taxation in the business curriculum, at both the undergraduate and graduate levels, for Indiana University on the IUPUI campus in Indianapolis.

G. Describe your hobbies and other leisure activities.

I am an avid reader, and have most recently read: *The Ghost Map*, by Steven Johnson, which is an account of the London cholera epidemic of 1854; *Lords of Finance*, by Liaquat Ahamed, a history of the world's departure from the gold standard in the wake of World War I; and *The Beekeeper's Apprentice*, *A Monstrous Regiment of Women*, *A Letter of Mary*, *The Moor*, and *O Jerusalem*, all by Laurie R. King, which are fictional stories about a retired Sherlock Holmes.

I garden and enjoy creating parterre gardens, I play classical piano and enjoy working on duets with my teenage daughter who plays the cello, and I ride horses in the discipline of dressage.

My husband and I have two active teenage daughters who ride in the discipline of eventing, and who also play basketball and tennis. I spend a lot of time following them around and supporting their activities, as well as hauling them and their horses to compete.

IX.

A. Provide names, addresses, and telephone numbers of three professional references other than those listed in section VI.G.

**Marc A.Hetzner, Esq.
Krieg DeVault, LLP
One Indiana Square, Ste 2800
Indianapolis, IN 46204-2079
317-238-6217 (office)
mhetzner@kdlegal.com**

**Michael J. Alley
Patriot Investment, LLC
PO Box 40816
Indianapolis, IN 46240-0816
317-814-8008 (office)
317-508-8343 (cell)
malleypatriotinv@aol.com**

**Hon. Edward A. Pease
Senior Vice President
Rolls-Royce North America
1875 Explorer Street, Suite 200
Reston, VA 20190**

703-621-2797 (direct office)
ed.pease@rolls-royce.com

- B. Provide names, addresses, and telephone numbers of three personal references other than those listed in VI.G.

**David Wulf
2615 N. Seventh St.
Terre Haute, Indiana 47805
812-232-4860**

**Gayland Jones, DVM
Springhill Road
Terre Haute, Indiana 47803
812-299-2200**

**Paul Thrift
901 Wabash Avenue
Terre Haute, Indiana 47807
812-235-5959**

- C. List any lawsuits or legal proceedings in any jurisdiction, including bankruptcies and dissolutions, to which you have been a party. Provide dates, case numbers, names of other parties, and, if needed, a brief explanation.

Equestrian Facilities, LLC v. Melony Sacopulos, Cause No. 84D01-0701-PL-00087, filed in Vigo County Superior Court Division 1 January 1, 2007. This was a business dispute that arose over a difference in opinion between a former associate and I over the running of a horse barn. The matter was dismissed with prejudice on Plaintiff's motion.

- D. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

N/A.

- E. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide dates.

N/A.

- F. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number if applicable, and describe the circumstances and the nature of the outcome or resolution.

N/A.

- G. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

None.

X.

- A. Attach a recent statement from your physician describing your general physical condition.

Attached.

- B. Within the past three years, have you been diagnosed or treated for an emotional or mental condition or illness, including any condition that involves treatment for drug or alcohol use? If so, provide the dates of assessment and/or treatment and the names and addresses of your doctors or other treatment providers.

No.

- C. Are you able to perform the essential functions of Judge on the Indiana Tax Court, with or without accommodation?

I am able to perform the essential functions of Judge on the Indiana Tax Court without accommodation.

DATE

MELONY ALLYN SACOPULOS